

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re

LEHMAN BROTHERS HOLDINGS INC., *et al.*

Debtors.

Chapter 11 Case No.

Case No. 08-13555 (JMP)

(Jointly Administered)

**AFFIDAVIT OF ADAM JAFFE IN SUPPORT OF
THE REPLY OF TRAXIS FUND LP AND TRAXIS EMERGING
MARKET OPPORTUNITIES FUND LP TO RESPONSE OF PLAN
ADMINISTRATOR TO MOTION OF TRAXIS FUND LP AND TRAXIS
EMERGING MARKET OPPORTUNITIES FUND LP TO COMPEL
DEBTORS TO REISSUE DISTRIBUTION CHECKS FOR ALLOWED CLAIMS**

STATE OF CONNECTICUT)

) SS.:

COUNTY OF FAIRFIELD)

ADAM JAFFE, being duly sworn, deposes and says:

1. I am the Chief Operating Officer of Traxis Partners LP (“Traxis Partners LP”), the investment advisory firm that controls Traxis Fund LP (“Traxis Fund”) and Traxis Emerging Market Opportunities Fund LP (“TEMOF” and together with Traxis Fund, “Traxis”).

2. I am over the age of eighteen years and am not a party to the above-captioned proceedings. I have personal knowledge of the facts stated in this Affidavit and am competent to testify to them.

3. I make this declaration in support of the Reply of Traxis Fund LP and Traxis Emerging Market Opportunities Fund LP to Response of Plan Administrator to Motion of Traxis Fund LP and Traxis Emerging Market Opportunities Fund LP to Compel Debtors to Reissue Distribution Checks for Allowed Claims (the “Reply”).

4. Traxis Fund and TEMOF hold general unsecured claims (the “Claims”), including Claim Nos. 66512 and 66510, representing allowed claims against Lehman Brothers

Special Financing Inc. (“LBSF”), and Claim Nos. 66511 and 66509, representing allowed claims against Lehman Brothers Holdings Inc. (“LBHI” and together with LBSF, the “Debtors”). Each of the Claims was filed on or around April 6, 2010.

5. At the time of the filing of the Claims, Traxis was located at 600 Fifth Avenue, 26th Floor, New York, New York 10020 (the “Old Address”), as reflected on the relevant proof of claim forms accompanying the Claims.

6. Christopher Crawford was employed as the Director of Operations of Traxis Partners until January 4, 2011. His name was included on the Claims as the contact person for Traxis with respect to any payments in respect of the Claims.

7. On or about March 19, 2012, Traxis moved offices to its current address at 4 Greenwich Office Park, 2nd Floor, Greenwich, Connecticut 06831 (the “Current Address”). In connection with the move, I arranged for mail addressed to the Old Address to be forwarded by the United States Postal Service to the Current Address.

8. Until October 1, 2012, Maricar Oliveros was employed as the Office Manager of Traxis Partners. Yasmin Antun has been employed as the Office Manager of Traxis Partners since October 1, 2012.

9. Traxis has a straightforward and consistently applied system in place to receive and sort mail. Every morning, an employee of the United States Postal Service delivers all mail addressed to Traxis and its employees to a single “inbox” located at Traxis’ office. The Office Manager is responsible for sorting and hand-delivering all incoming mail to the specific Traxis employees for whom such mail is intended.

10. Every day, the Office Manager gives me all incoming mail that is (a) addressed specifically to me, (b) addressed to Traxis generally (as opposed to an individual

employee), and/or (c) addressed to former employees, such as Christopher Crawford, or any other non-employees of Traxis.

11. I review every piece of mail delivered to me as described in Paragraph 8 above. No mail delivered to Traxis or to me personally is discarded unread or unopened.

12. Until the incoming mail is hand-delivered to me or any other relevant employee of Traxis, the such mail is within the exclusive control of the Office Manager. To the best of my knowledge, Traxis has never experienced instances of lost, stolen or misplaced mail.

13. To the best of my knowledge, excepting the circumstances that gave rise to the Motion of Traxis Fund LP and Traxis Emerging Market Opportunities Fund LP to Compel Debtors to Reissue Distribution Checks for Allowed Claims (the “Motion”), Traxis has never experienced any issues or difficulties with respect to its ability to receive incoming mail and/or direct such mail to the appropriate recipient.

14. To the best of my knowledge, at all relevant times, except as provided in this Affidavit, all mail addressed to Traxis at the Old Address was successfully delivered to Traxis at the New Address.

15. At all relevant times, including during April of 2012, the mail management procedures outlined above were followed exactly by me, Maricar Oliveros, Yasmin Antun and the other Traxis employees.

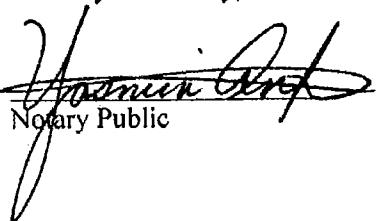
16. If initial distribution checks in respect of the Claims (the “Initial Distribution Checks”) had been delivered to Traxis by the Debtors’ claims agent, Epiq Systems (“Epiq”), on or around April 17, 2012, as alleged by the Debtors, the Initial Distribution Checks would immediately have been given to me by Maricar Oliveros in accordance with Paragraph 8

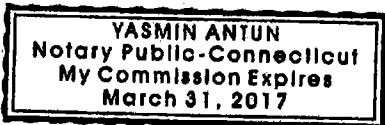
above, even if the checks had been addressed to Christopher Crawford or to no Traxis employee in particular.

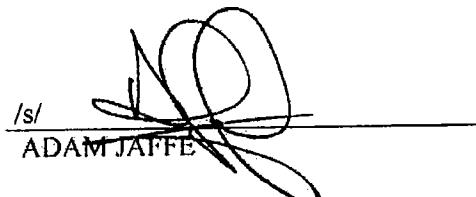
17. Moreover, Epiq has asserted that it delivered two reissued checks to Traxis at the New Address on or around November 28, 2012 in connection with the second distribution in respect of the Claims (the "Reissued Checks"). The same mail sorting system described above was in place at the time of the alleged delivery, and Traxis has not received the Reissued Checks. If the Reissued Checks had been delivered to Traxis, they would have been given directly to me by Yasmin Antun.

18. Traxis continues to receive its mail regularly from all other parties without any issue whatsoever.

Sworn to before me this
11th day of January, 2013


Notary Public




/s/
ADAM JAFFE